

REMARKS

Pursuant to 37 C.F.R. §1.173(c), Applicant provides the following statement of the status as of the date of the present amendment of all patent claims and of all added claims.

STATUS OF PATENT CLAIMS:

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| Claim 1 | CANCELED |
| Claim 2 | CANCELED |
| Claim 3 | CANCELED |
| Claim 4 | CANCELED |
| Claim 5 | PENDING |
| Claim 6 | PENDING |
| Claim 7 | PENDING |
| Claim 8 | PENDING |
| Claim 9 | PENDING |
| Claim 10 | PENDING |
| Claim 11 | PENDING |
| Claim 12 | PENDING |
| Claim 13 | PENDING |
| Claim 14 | PENDING |
| Claim 15 | PENDING |
| Claim 16 | PENDING |
| Claim 17 | PENDING |
| Claim 18 | PENDING |
| Claim 19 | PENDING |
| Claim 20 | PENDING |
| Claim 21 | PENDING |
| Claim 22 | PENDING |
| Claim 23 | PENDING |
| Claim 24 | PENDING |
| Claim 25 | PENDING |
| Claim 26 | PENDING |
| Claim 27 | PENDING |
| Claim 28 | PENDING |
| Claim 29 | PENDING |
| Claim 30 | PENDING |

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| Claim 31 | PENDING |
| Claim 32 | PENDING |
| Claim 33 | PENDING |
| Claim 34 | PENDING |
| Claim 35 | PENDING |
| Claim 36 | PENDING |
| Claim 37 | PENDING |
| Claim 38 | PENDING |
| Claim 39 | PENDING |
| Claim 40 | PENDING |

SUPPORT FOR AMENDED CLAIMS 5, 15, 23 AND 33:

Claims 5 and 15 are amended to recite, *inter alia*, wherein said clock signal generating circuit generates said clock signal using the phase difference signal generated by said phase comparator. (See last line of claims 5 and 15.)

Claims 23 and 33 are amended to recite, *inter alia*, wherein said clock signal is generated using said phase difference signal. (See last line of claims 23 and 33.)

The amendments to independent claims 5, 15, 23 and 33 are supported at least by the description of the exemplary embodiment of Figs. 11 and 12, which include a phase comparing circuit 522 and which has a construction similar to the phase comparing circuit 15 (see col. 13, lines 5-8, and col. 14, lines 56-59 of U.S. Pat. No. 5,920,530, as non-limiting examples).

OBJECTION:

The Examiner objected to claims 5-40 under 37 C.F.R. §1.75(a) for allegedly failing to distinctly claim the subject matter which Applicant regards as the invention. The Examiner's basis for the objection is that the noted features are not used "later in the claim." Applicant respectfully submits that whether or not a feature is recited "later in the claim," is not a basis for

an objection, and that a skilled artisan would be apprised of the scope of claim 5 as it presently stands, such that it is definite. Nevertheless, claim 5 is amended to further define its features in a manner which Applicant believes addresses the Examiner's concern. Withdrawal of the objection is respectfully requested. The Examiner makes a similar objection in regard to claims 15, 23 and 33, which should likewise be withdrawn.

35 U.S.C. § 112:

Claims 10, 20 and 38 are rejected under 35 U.S.C. § 112, first paragraph. The Examiner requests clarification regarding support for the features recited in claims 10, 20 and 38 when combined with the "phase comparison," recited in the respective parent claims.

Applicant respectfully submits that the subject matter of claims 10, 20 and 38 is supported at least by the exemplary Feed Forward (FF) circuit 53 shown in the exemplary embodiment of Figure 11, and the corresponding written description.

35 U.S.C. § 102:

Claims 5-40 are rejected under 35 U.S.C. § 102(b) as being anticipated by Murakami (U.S. Patent No. 4,761,775). The elements recited in claims 5, 15, 23, and 33 provide a novel combination of features. Applicant respectfully submits that Murakami does not disclose each feature found in claims 5, 15, 23 and 33, and takes this opportunity to explain Murakami's deficiencies. The grounds of rejection compare the phase comparator 134 shown in Fig. 4 of Murakami to the phase comparator recited in the claims 5, 15, 23 and 33. However, Applicant disagrees.

The phase comparator 134 of Murakami compares a phase of a clock pit signal c (provided by the signal separating circuit 129, shown in Fig. 5(a)) with that of a frequency-divided signal of the output signal (shown in Fig. 5(d)) of the voltage controlled oscillator 136. This simply means that a phase comparison is performed between two signals, both having a period of the pit detection signal, for example, corresponding to the period of the sync signal described in the present specification.

In an exemplary embodiment of the present invention, a phase comparison with a land pre-pit (LPP) detection signal is performed at intervals of the sync-frame (1488T shown in Fig. 2) which is shorter than the recording sector's interval (26 sync-frames). With this feature, the phase comparison is performed properly even when the interval of the sync pre-signal (the distance between adjacent two sync pre-signals) is varied, as illustrated in Fig. 3 of the present application. This relationship between the intervals of the reference signal and the synchronization signal included in the prerecorded data signal is claimed in the last paragraph of independent claims 5, 15, 23 and 33. Moreover, claim 15 recites first and second prerecorded data (and first and second intervals correspondingly) in the preamble. This alone indicates that the subject matter of claim 15, for example, is clearly different from the disclosure of Murakami.

Furthermore, as recited in the preamble of each of claims 5, 15, 23 and 33, the prerecorded data according to the present invention is performed on a portion different from the information recording track. This feature is also distinctive over Murakami.

Accordingly, Applicant believes that the Examiner will appreciate that Murakami does not disclose each feature found in claims 5, 15, 23 and 33, such that the rejection under 35

U.S.C. § 102(b) should be withdrawn. The rejection of dependent claims 6-14, 16-22, 24-32 and 34-40 should likewise be withdrawn at least due to their respective dependencies upon claims 5, 15, 23 and 33.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

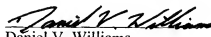
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